

**IN THE UNITED STATES DISTRICT COURT FOR THE
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

JACKIE FISHER

Plaintiff,

vs.

UNIVERSITY OF TEXAS
MEDICAL BRANCH and
DAVID WATSON

Defendants.

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CIVIL ACTION NO. 4:08-CV-01273

Jury Demanded

DEFENDANTS' UNOPPOSED MOTION TO EXTEND MEDIATION DEADLINE

TO THE HONORABLE NANCY F. ATLAS:

Comes now Defendants and files this unopposed motion to extend the mediation deadline and would respectfully show the court as follows:

I.

The mediation deadline is set for the end of July, 2009. Docket call for trial of this case is set for January 13, 2010.

II.

As a result of health and scheduling problems of the parties, the depositions of main witnesses in this litigation have been delayed until late August, 2009. Many of these are now tentatively scheduled and noticed. Once the bulk of the necessary witness have been deposed, the parties believe the case will be much more amenable to a successful mediation.

III.

Defendants respectfully request that the mediation deadline be extended to the end of

September, 2009.

Wherefore, Premises Considered, Defendants respectfully requests that the mediation deadline be extended until the end of September 2009.

Respectfully submitted,

GREG ABBOTT
Attorney General of Texas

KENT C. SULLIVAN
First Assistant Attorney General

DAVID S. MORALES
Deputy Attorney General for Civil Litigation

ROBERT B. O'KEEFE
Chief, General Litigation Division

/s/ Sam Lively

SAM LIVELY
Assistant Attorney General
Texas Bar No. 12435300
General Litigation Division
P. O. Box 12548, Capitol Station
Austin, Texas 78711
Phone No. (512) 463-2120
Fax No. (512) 320-0667

ATTORNEYS FOR DEFENDANT

CERTIFICATE OF CONFERENCE

The parties' counsel have conferred. This motion is unopposed.

/s/ Sam Lively

SAM LIVELY

CERTIFICATE OF SERVICE

I certify that a true and correct copy of the above and forgoing document has been sent via certified mail, return receipt requested, on July 31, 2009, to the following individual:

Jo Miller
505 North Main
Carriage House
Conroe, Texas 77301

/s/ Sam Lively
SAM LIVELY
Assistant Attorney General